

1617 AB

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

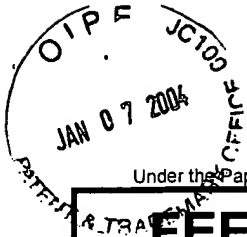
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	09/975,615
		Filing Date	October 10, 2001
		First Named Inventor	VALA, LISA A.
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	10	Attorney Docket Number	5511USA
<b>ENCLOSURES (check all that apply)</b>			
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Request for One-Month Extension of Time and return postcard</b>	
<input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)			
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm or Individual Name	Arlene L. Hornilla		
Signature			
Date	5 Jan 2004		

<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:	
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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**110.00****Complete if Known**

Application Number	09/975,615
Filing Date	October 10, 2001
First Named Inventor	VALA, LISA A.
Examiner Name	
Art Unit	
Attorney Docket No.	5511USA

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
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☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application.☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1001	770	2001	385	Utility filing fee
1002	340	2002	170	Design filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Reissue filing fee
1005	160	2005	80	Provisional filing fee

**SUBTOTAL (1)****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	x	=
Indep. Claims	-3** =	x	=
Multiple Dependent			=

Large Entity Fee Code

Small Entity Fee Code

Fee (\$)

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**Fee Description****SUBTOTAL (2) \$**

\*\*or number previously paid, if greater; For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code Fee (\$)

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**Fee Description**

Surcharge - late filing fee or oath

Surcharge - late provisional filing fee or cover sheet

Non-English specification

For filing a request for *ex parte* reexamination

Requesting publication of SIR prior to Examination action

Requesting publication of SIR after Examiner action

Extension for reply within first month

Extension for reply within second month

Extension for reply within third month

Extension for reply within fourth month

Extension for reply within fifth month

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to institute a public use proceeding

Petition to revive - unavoidable

Petition to revive - unintentional

Utility issue fee (or reissue)

Design issue fee

Plant issue fee

Petitions to the Commissioner

Processing fee under 37 CFR 1.17(q)

Submission of Information Disclosure Stmt

Recording each patent assignment per property (times number of properties)

Filing a submission after final rejection (37 CFR § 1.129(a))

For each additional invention to be examined (37 CFR § 1.129(b))

Request for Continued Examination (RCE)

Request for expedited examination of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)****110.00****SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)

Arlene L. Hornjila

Registration No.  
(Attorney/Agent)

44,776

Telephone

(763) 764-2265

Signature

Date

5 Jan 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Attorney Docket No. 5511US

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

*Applicant:* Vala et al.

*TC/Art Unit:* 1617

*Appl. Serial No.:* 09/975,615

*Examiner:* Sharareh, S.

*Filing Date.:* 10 October 2001

*Title:* Food Product for Lowering Cholesterol Levels

I hereby certify that this document is being deposited with the United States Postal service as first class mail in an envelope addressed to:  
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*Yulandra Y. Washington*

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

DATED: 05 January 2004

Dear Sir:

**RESPONSE & AMENDMENT**

This communication is in response to the Office Action mailed on September 5, 2003. A Petition for a One-month Extension of time to respond is provided herewith.

Claims 1-3, 5, 7, 10, 15-17 and 20 are currently pending in this application. These claims have been rejected.